

memorandum

DATE: JAN 13 1997

REPLY TO: Office of Environmental Policy and Assistance:Berling:202-586-8144
ATTN OF:

SUBJECT: CLEAN AIR ACT INFORMATION--RECONSIDERATION OF THE BAN ON FIRE
EXTINGUISHERS CONTAINING HCFCs

TO: Distribution

On December 30, 1993, the Environmental Protection Agency (EPA) promulgated regulations that implemented the statutory ban on nonessential products containing or manufactured with class II ozone-depleting substances under §610 (d) of the Clean Air Act, as amended. On July 18, 1996, EPA published the proposed rule, "Protection of Stratospheric Ozone: Reconsideration of the Ban on Fire Extinguishers Containing HCFCs" (61 FR 37430). EPA had proposed to provide an exemption for portable fire extinguishing equipment that contains hydrochlorofluorocarbons (HCFCs) for non-residential applications. The Department of Energy (DOE) supported this position due to the fact that some DOE facilities must use Halon 1211 portable fire extinguishers in the event of an emergency in order to protect sensitive equipment that would be seriously damaged by other extinguishing agents.

This proposed rule became final on December 4, 1996 (61 FR 64424). The final rule amends the Class II Nonessential Products Ban promulgated under § 610 of the Clean Air Act Amendments to provide an exemption for portable fire extinguishing equipment that contains HCFCs for non-residential uses. This exemption is due primarily to the lack of an acceptable substitute to Halon, a class I ozone depleter.

A copy of the December 4, 1996 final rule is attached for your information and should be distributed to all personnel involved in Halon replacement and fire protection issues. If you have further questions on this, please contact Juliet Berling at (202) 586-8144 or Ted Koss at (202) 586-7964.

Andrew Wallo III
Director
Air, Water and Radiation Division

[Attachment](#)